

UNITED STATES DISTRICT COURT

for the
District of Arizona

9/27/17
United States of America
v.
Jose Alexsander Mejia-Rodrigues,
a.k.a. Kelvin Caseres-Ordenez
A201 231 050
Defendant

Case No. 17-422 MT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about September 27, 2017, in the County of Pinal, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Jose Alexsander Mejia-Rodrigues, an alien, was found in the United States of America, at or near Casa Grande, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States, at or near Mesa, Arizona, on or about May 3, 2017, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

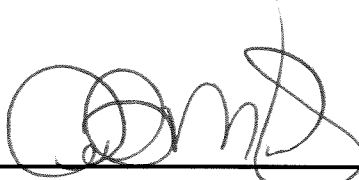
I further state that I am a Border Patrol Agent with U.S. Customs and Border Protection.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

CEB
REVIEWED BY: Charles E. Bailey, P.S. for SAUSA Ryan J. Goldstein

☒ Continued on the attached sheet.



Complainant's signature

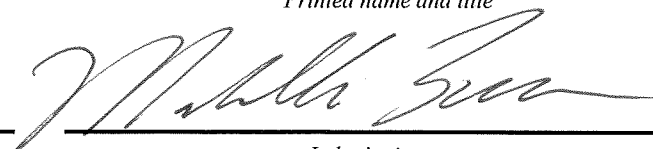
Albert A. Martinez

U.S. Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: September 28, 2017



Judge's signature

City and state: Phoenix, Arizona

Michelle H. Burns
United States Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Albert A. Martinez, being duly sworn, hereby depose and state as follows:

1. Your affiant is a United States Border Patrol agent. I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On or about September 27, 2017, Border Patrol Agent R. Gant encountered an individual near Casa Grande, in the District of Arizona. The agent identified himself as a Border Patrol agent and performed an immigration inspection on the individual. The individual, later identified as Jose Alexsander Mejia-Rodrigues, admitted to being a citizen and national of a country other than the United States, unlawfully present in the United States. Mejia-Rodrigues was transported to the Casa Grande Border Patrol Station for further processing. Mejia-Rodrigues was held in administrative custody until his identity could be confirmed along with his immigration and criminal history.
3. Immigration history checks revealed Jose Alexsander Mejia-Rodrigues to be a citizen of Honduras and a previously deported alien. Mejia-Rodrigues was removed from the United States to Honduras through Mesa, Arizona, on or about May 3, 2017, pursuant to the reinstatement of a removal order issued by an immigration official. There is no

record of Jose Alessander Mejia-Rodrigues in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Mejia-Rodrigues's immigration history was matched to him by electronic fingerprint comparison.

4. On or about September 28, 2017, Jose Alessander Mejia-Rodrigues was advised of his constitutional rights. Mejia-Rodrigues freely and willingly acknowledged his rights and agreed to provide a statement under oath. Mejia-Rodrigues stated that his true and complete name is Jose Alessander Mejia-Rodrigues and that he is a citizen of Honduras and of no other country. Mejia-Rodrigues stated that he illegally entered the United States at or near Lukeville, Arizona, on or about September 22, 2017, at around 6:00 a.m., without inspection by an immigration officer. Mejia-Rodrigues further stated that he had been previously removed from the United States to Honduras and did not receive permission from the Secretary of the Department of Homeland Security to re-enter the United States after his removal.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about September 27, 2017, Jose Alessander Mejia-Rodrigues, an alien, was found in the United States of America, at or near Casa Grande, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the

United States at or near Mesa, Arizona, on or about May 3, 2017, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), a felony.

A handwritten signature in black ink, appearing to read 'A. Martinez', written over a horizontal line.

Albert A. Martinez
U.S. Border Patrol Agent

Sworn to and subscribed before me
this 28th day of September, 2017.

A handwritten signature in black ink, appearing to read 'Michelle H. Burns', written over a horizontal line.

Michelle H. Burns
United States Magistrate Judge